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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Severo TELLEZ-Mendez,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

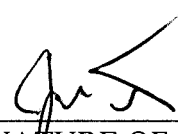
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08 MAY 22 AM 10:09
'08 MJ 1605
SOUTHERN DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **May 20, 2008** within the Southern District of California, defendant, **Severo TELLEZ-Mendez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **22nd DAY OF MAY, 2008**



Anthony J. Battaglia
UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

On May 20, 2008, Border Patrol Agent R. Villarreal was performing line watch duties for the Imperial Beach Border Patrol Station in an area known as "W-2." This area is approximately 100 yards west of the San Ysidro, California Port of Entry and 20 yards north of the United States/Mexico International Border Fence.

At approximately 8:40 p.m., Agent Villarreal observed an individual running north in the southbound lanes of Interstate 5 from Mexico.. Agent Villarreal stopped the individual to perform an immigration inspection. Agent Villarreal identified himself as a United States Border Patrol Agent and performed an immigration inspection. The individual later identified as the defendant **Severo TELLEZ-Mendez**, admitted to being a citizen of Mexico without any immigration documents that allowed him to legally enter or remain in the United States. Agent Villarreal placed the defendant under arrest and transported him to the Imperial Beach Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **August 27, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.